

Release  
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## **SUMMARY OF CASES ACCEPTED DURING THE WEEK OF MAY 18, 1998**

[This news release is issued to inform the public and the press of cases that the Supreme Court has accepted and of their general subject matter. The description or descriptions set out below do not necessarily reflect the view of the court, or define the specific issues that will be addressed by the court.]

#98-64 People v. Castaneda, S069237. (G020102; 62 Cal.App.4th 703.)  
Petition for review after the Court of Appeal affirmed a judgment of conviction of criminal offenses. This case concerns the meaning of the phrase “active participation in a criminal street gang” for purposes of Penal Code section 186.22, subdivision (a).

#98-65 People v. Robles, S069306. (B112363; 61 Cal.App.4th 971.)  
Petition for review after the Court of Appeal affirmed an order denying a motion to reinstate a felony complaint. This case includes the issue whether the phrase “active participant in a criminal street gang” in Penal Code section 12031, subdivision (a)(2)(C), incorporates all of the elements of a violation of Penal Code section 186.22, subdivision (a) or only the element of active participation.

#98-66 Kasler v. Lungren, S069522. (C017769; 61 Cal.App.4th 1237.)  
Petition for review after the Court of Appeal reversed a judgment in a civil action. This case presents several issues relating to the validity of the Roberti-Roos

(over)

Assault Weapons Control Act, including whether the procedure for adding weapons to the statutory list of banned weapons violates the separation of powers doctrine or due process and whether the listing of specific banned weapons violates equal protection.

## **DISPOSITION**

#98-63 In re Inquiry Concerning a Judge No. 101 S068838, was dismissed as moot.

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